

# **CENTRAL AFRICAN REPUBLIC 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Central African Republic is a presidential republic. Faustin-Archange Touadera was elected president for a second five-year term in 2020 in a process marred by violence. During elections, six armed groups combined to form a new alliance, the Coalition of Patriots for Change, led by former President Francois Bozize, exited ongoing peace negotiations and called for a suspension of voting while turning to violence to stop the electoral process. As a result, only an estimated 35 percent of registered voters cast ballots. As a result of this insecurity, President Touadera called for international security assistance from all partners, including the Russian Federation government, which facilitated the deployment of Wagner Group forces. President Touadera also appealed to the Rwandan government, which deployed regular army units. Civil society and political opposition leaders denounced election irregularities, while international observers noted that widespread violence prevented large numbers of citizens from participating and called on all parties to settle differences peacefully and inclusively.

The Central African Armed Forces report to the Ministry of Defense and maintain internal security. Members of the Wagner Group supplemented Central African Armed Forces security operations and provided close protection services to the president with armed personnel originating from Russia and Russian-allied nations. Police and gendarmes hold responsibility for maintaining law and order and report to the Ministry of Interior Charged with Public Security. The president is commander in chief of all armed forces. Civilian authority over security forces improved but remained weak. There were reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government and on behalf of the government;

harsh and life-threatening prison conditions; arbitrary arrest or detention; serious abuses in a conflict, including reportedly unlawful civilian deaths or harm, enforced disappearances or abductions, torture, physical abuses, or punishment, or unlawful recruitment or use of child soldiers by armed groups and the armed forces; restrictions on free expression and media, including the enforcement of or threat to enforce criminal libel laws; substantial interference with the freedom of peaceful assembly; severe or particularly severe restrictions of religious freedom; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence, sexual violence, workplace violence, child, early, and forced marriage, female genital mutilation/cutting, femicide, and other forms of gender-based violence; trafficking in persons; laws criminalizing consensual same-sex relationships between adults; and existence of the worst forms of child labor.

The government took steps to investigate, prosecute, and punish officials for alleged human rights abuses and corruption, including in the security forces. The government had mechanisms in place to identify and punish officials who committed human rights abuses or engage in corruption, but a climate of impunity and a lack of access to legal services remained obstacles to citizens' ability to obtain formal justice.

Despite some improvements, including through the United Nations peacekeeping mission in the Central African Republic activity, state authority beyond Bangui generally remained weak. Armed groups reportedly continued to perpetrate serious abuses of human rights and abuses of international humanitarian law. They reportedly committed unlawful killings, physical abuses and other mistreatment, abductions, sexual assaults, looting, and destruction of property. (Note: This report refers to the "ex-Seleka" as a blanket term for the armed factions of the Coalition of Patriots for Change, the Popular Front for the Renaissance in the Central African Republic, and the Union for Peace, which were formed after the dissolution of the Seleka movement in 2013. The armed groups known as Return, Reclamation, Rehabilitation and the Anti-Balaka also committed serious human rights abuses during the year. End Note.)

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were several reports that the government or its agents committed arbitrary or unlawful killings during the year. The Ministry of Justice investigates whether security force killings were justifiable and pursues prosecutions.

There were 170 instances of extrajudicial killings committed by state security forces, including the Armed Forces of the Central African Republic (FACA), and Russian-backed Wagner Group elements as of December. Many of these killings occurred when security forces and Wagner Group elements suspected civilians of being affiliated with armed groups. The UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) released human rights reports covering January through April citing 42 cases of misconduct by FACA during noncombat operations, which resulted in five killings, including one incident while soldiers attempted to collect illegal taxes at a checkpoint. In May 2021, the government announced the creation of a special commission of inquiry to report on alleged abuses of human rights and international humanitarian law by actors operating under the auspices of the Central African government during the previous year. When released during the year, the government report accused armed groups of war crimes and crimes against humanity but did not conclude that government forces committed human rights abuses. An independent report produced by MINUSCA's Human Rights Division drew different conclusions. Their report found that extrajudicial executions, arbitrary arrests and disappearances, torture, inhuman and degrading treatment, occupation of public buildings, and hindrances to humanitarian access had also been committed by FACA and Wagner Group elements. As of September, government officials claimed that administrative action such as separation from the service had occurred for some individuals in connection with these allegations. There were no reports the government took any judicial actions against alleged perpetrators.

Throughout the year, armed groups carried out reprisal raids on civilian towns suspected of supporting rival forces, including the government. During a late

December 2021 attack on the town of Boyo in Ouaka Prefecture, former anti-Balaka militants, accompanied by local men recruited and trained by Wagner Group elements and FACA, slashed, stabbed, and dismembered Muslim civilians, killing 20 and critically injuring at least 10 adults and two children, according to reports released in January by MINUSCA. These proxy forces committed acts of sexual violence and systematically looted and burned homes. In April a government investigation acknowledged the UN reports regarding the above incident but denied the involvement of FACA and Wagner Group elements, placing all blame for abuses on armed groups, contradicting conclusions by the Office of the UN High Commissioner for Human Rights.

According to a MINUSCA investigation, in January Wagner Group elements killed five civilians and wounded 15 others in the village of Aigbado and killed 17 in the village of Yanga during an operation against the Coalition of Patriots for Change (CPC). Local and international media reported the combined civilian death toll between 30 and 70. Witnesses alleged Wagner Group elements, FACA members, and proxy forces recruited by security services shot indiscriminately into a crowd and summarily executed men suspected of supporting armed groups. During the operation, Wagner Group elements set fire to homes and emplaced land mines before withdrawing. Humanitarian relief organizations were unable to access Aigbado and Yanga for several months due to the land mines, halting humanitarian assistance for the affected population.

## **b. Disappearance**

There were limited reports of disappearances committed by or on behalf of government authorities.

A 2021 government investigation acknowledged UN reports that government or Wagner Group elements participated in the disappearance of civilians and suspected armed group members. As of September, there was no indication that authorities took action regarding the disappearances.

According to local news reports, businessman and community leader Issa Manou disappeared in January 2021 on his way to a meeting with National Assembly President Simplicie Mathieu Sarandji. After approximately two months of

searching, Moussa's children launched a public campaign urging assistance from government authorities. During the year, the family filed a complaint against Sarandji in the High Court of Bangui. Sarandji claimed not to know Moussa, despite signs of their affiliation on social media and evidence that their 2021 meeting had been scheduled. As of year's end, the government had not opened an official investigation.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The law prohibits the practice of torture and specifies punishment for torture and other cruel and inhuman treatment. Although sentences for those convicted of torture range from 20 years to life in prison and forced labor, impunity persisted. As of September, there were no reports that the government conducted any official investigations into accusations.

MINUSCA's Human Rights Division reporting claimed state actors, such as FACA, committed most of the recorded incidents of torture during security operations against armed groups. Nonstate armed group actors were responsible for most cases of other forms of cruel, inhuman, or degrading treatments and punishments, such as maiming and dismembering, and widespread sexual violence.

Impunity for cruel, inhuman, or degrading treatment or punishment continued to be a significant problem throughout the country's security forces, including FACA, Wagner Group elements, gendarmerie, and police. According to human rights advocates, factors that contributed to impunity included judicial backlogs and victims' fear of retaliation. The government worked with bilateral mission partners and international organizations to provide training on human rights for FACA and gendarmerie units. In August the Ministry of Defense demoted 11 FACA soldiers and officers from several units for misconduct related to human rights abuses. In March 80 FACA soldiers and officers were dishonorably discharged for similar abuses.

Military tribunals, courts martial, appeals courts, and the Court of Cassation have jurisdiction to try any abuse by the military. The Military Tribunal hears cases punishable by less than 10 years, while the Court Martial hears cases punishable by

10 years or more. The Ministry of Defense does not make public the number or frequency of military tribunals. After a decade of inactivity, military courts resumed work in July 2021. The Bangui Military Tribunal held its second hearing in July, hearing 14 cases. In September the Court Martial held its first criminal session in Bangui.

In February the Justice Unit of MINUSCA organized workshops to educate FACA units in Bouar on the Code of Military Justice. The initiative aimed to strengthen rule of law and the fight against impunity. Local, civil, and military justice officials played leadership roles in providing this training. From January to June, MINUSCA trained 154 FACA, gendarmes, and police on human rights protection, international humanitarian law, torture prevention, and conflict-related sexual violence for security forces stationed in Obo, Bamabri, Bouar, and Bria.

### **Prison and Detention Center Conditions**

According to the National Commission for Human Rights and local nongovernmental organizations (NGOs), prison conditions did not generally meet international norms and were often harsh, life-threatening, and inhuman due to gross overcrowding, food shortages, and inadequate sanitation.

**Abusive Physical Conditions:** According to MINUSCA, in August the imprisoned population numbered 1,945 men and 45 women. The government operated three prisons in or near Bangui: Ngaragba Central Prison, the high-security Camp de Roux annex for men, and a women's prison in Bimbo with a total capacity of 1,088 persons. Three prisons elsewhere in the country reported exceeding their designed capacity: Ngaragba by 440 percent, Berbarati by 95 percent, and Banbari by 64 percent, according to the EU Advisory Mission. In other locations, including Bossembele, Sibut, and Boda, police or gendarmes kept prisoners in custody at police stations and gendarmerie brigades. A combination of international peacekeepers, FACA, prison officers trained by MINUSCA and the Ministry of Justice, and judicial police guarded the facilities.

Prison conditions remained extremely poor in almost all locations. Many detention facilities were extremely overcrowded. Necessities such as food, clothing, and medicine were inadequate and were often confiscated by prison officials. The

Ministry of Justice reported 431 cases of malnourishment during the year, mainly at the Ngaragba Central Prison. Prisons lacked basic sanitation and ventilation, electricity, basic and emergency medical care, and sufficient access to potable water. Diseases were pervasive in all prisons. Official statistics regarding the number of deaths in prison were not available. UN observers reported imprisoned men carried out sexual violence against their fellow inmates, including minors, with impunity. In August the High Authority for Good Governance visited Bangui-based detention centers to investigate living conditions. They reported the Bimbo women's prison had adequate space but lacked drinking water and electricity, conditions affecting the well-being of both prisoners and guards; however, later in the year UN agencies provided a diesel electricity generator and solar-powered lamps. The Ngaragba prison, the investigators noted, had been built to house 400 inmates but during the year held 1,365. The investigators reported a gross shortage of corrections officers in both detention centers.

Detention centers affiliated with the Central Office of Gang Repression and the Investigation and Research Section, the criminal investigations bureau of the gendarmerie, were both cited as egregious examples of overcrowding, lack of sanitation, and health care, according to UN sources. Poor hygienic detention conditions linked to overcrowding and inadequate health care increased the likelihood of infection by communicable disease. In Bangui, prisoners were separated by gender, as well as in smaller prisons in cities such as Bouar, M'Baiki, Berberati, and Bossangoa. Detainees, including pregnant women, slept on thin straw mats on concrete floors. There were no detention centers or separate cells in adult prisons for juvenile offenders. Pretrial detainees, numbering 1,640, made up nearly 80 percent of the population and were held together with convicted prisoners.

**Administration:** Prison detainees have the right to submit complaints of mistreatment but rarely exercised this option due to the lack of a functioning formal complaint mechanism and fear of retaliation from prison officials. There were reports that complainants paid police officers or gendarmes fees to file their complaints. Prison guards and administrators were accused of charging prisoners, prisoners' family members, and other visitors' unofficial fees known as "coinage visits."

**Independent Monitoring:** The government permitted monitoring by international donors, the Office of the UN High Commissioner for Human Rights, and the UN Human Rights Council's independent experts on human rights in the country. In addition, state organs such as the National Commission for Human Rights and the General Inspectorate of Justice were also authorized independently to visit detention centers.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government sometimes observed these requirements. Although the law provides detainees the right to challenge the lawfulness of their detention in court, many detainees were not able to exercise this right due to a lack of quality, affordable legal services, and a poorly functioning justice system.

#### **Arrest Procedures and Treatment of Detainees**

The law provides that persons under arrest be informed immediately of the allegations against them. Detainees must be presented before a judge within 72 hours and may not be held longer than 144 hours without appearing before a judge. There are exceptions for those detained under national security laws and those in remote areas where there are no courts. In both cases, detentions may be extended up to eight days, renewable once. Poor recordkeeping, inefficient and slow judicial procedures, and an insufficient number of judges meant authorities did not always observe these requirements. According to UN reports, police and the gendarmerie routinely violated the 48-hour custody limit, often on suspicion alone. Provisional release was available for those awaiting trial but not consistently granted. There was a functioning bail system. Suspects were often detained incommunicado.

The law requires that defendants in felony cases involving sentences of 10 years or more be provided a lawyer. The law does not require defendants in nonfelony cases access to state-funded attorneys. Many felony and nonfelony defendants could not afford counsel. Some NGOs made prisoners aware of their right to an attorney, but many remained unaware of their rights, especially outside of the Bangui. The practice of appointing lawyers was rare outside of criminal sessions



supported by external donors. Lawyers are available to those who can afford the fees.

**Arbitrary Arrest:** Both security forces and armed groups arbitrarily targeted and detained individuals. Many arbitrary arrests occurred during offensive operations by security forces and Wagner Group elements, according to reports by the United Nations, the local press, and NGOs. In some cases, arbitrary arrests targeted ethnic and religious minorities on suspicion of alleged collusion with armed groups.

**Pretrial Detention:** Pretrial detention, prison overcrowding, and prolongation of trial dates were serious problems. As of September, UN reports estimated 1,673 individuals remained in pretrial detention, a notable 10 percent increase from 2021. Lengthy pretrial detentions occurred in part because of a lack of affordable legal representation and low capacity of judiciary bodies. The law provides that preventive detention is possible if the penalty incurred exceeds one year's imprisonment and if, for the needs of the investigation, it is essential to preserve evidence and separate parties involved.

Although record keeping of arrests and detentions was poor, slow investigation and processing of cases was the primary cause of lengthy pretrial detention. The judicial police force charged with investigating cases was poorly trained and understaffed, resulting in slow case-processing times. In many cases, the duration of pretrial detention exceeded the maximum sentence for the alleged crime.

In May 2021, Remy Quignolot, a French citizen, was arrested on charges of espionage and detained in a military prison in Bangui. The law stipulates a 12-month maximum period of pretrial detention, with a possible extension of four months after judicial review. The courts did not issue a pretrial detention extension, yet he remained in prison until December. The government based the allegations on a set of photographs in which Quignolot appeared in front of ammunition stores. Human rights NGOs claimed authorities planted the photographs. Quignolot departed the country before his trial, and in response the court agreed to conduct a trial in absentia. No trial date had been set as of year's end.

## **e. Denial of Fair Public Trial**

Although the constitution provides for an independent judiciary, political actors exerted undue influence on it. The country's judicial system had not recovered from 2013 attacks by Seleka rebels, who destroyed court buildings and records throughout the country. Despite improvements in the number of judges deployed outside Bangui, a shortage of justices hindered court operations nationwide. Many judges were unwilling to conduct proceedings outside Bangui, citing security concerns, the inability to receive their salaries or access banks, and the lack of office space. UN legal experts explained that while some security concerns were legitimate, other justices simply refused to travel to areas lacking access to social services or adequate housing. Corruption was a serious problem at all levels. Courts suffered from inefficient administration, understaffing, trained personnel shortages, and salary arrears. Authorities at all levels did not always respect court orders.

The Special Criminal Court (SCC), established in 2015, operated with both domestic and international participation and support. The SCC has jurisdiction over serious abuses of human rights and international humanitarian law, including genocide, crimes against humanity, and war crimes. During the year, the SCC formed a corps of 32 national and 16 international lawyers to assist with trial proceedings. According to the United Nations, investigations were often impeded by security constraints and insufficient political support.

In July SCC officials in cooperation with members of FACA and judicial police arrested Idriss Ibrahim Khalil in Alindao, south-central region of the country. Notorious under the nom de guerre "Ben Laden," the self-proclaimed general of the Union for Peace (UPC) armed group was accused of directing and participating in multiple attacks on civilians and security forces, including an attack at a camp for internally displaced persons in 2018 that left 112 civilians dead. As of September, SCC authorities were holding Khalil in pretrial detention in Bangui, where he was awaiting a hearing.

In April the SCC Trial Chamber opened its first trial related to 2019 attacks on civilians in the prefectures of Koundjouli, Limouna, and Ouham-Pendé, allegedly perpetrated by the Return, Reclamation, Rehabilitation (3R) armed group. The

court-appointed lawyers for the accused failed to appear at the initial hearing due to a salary dispute, but after a negotiated settlement, the trial proceeded during the year and reached a guilty verdict by in October, although an appeal remained pending as of year's end.

The country's Truth, Justice, Reparation, and Reconciliation Commission (TJRRC), is a transitional justice body charged with establishing truth, determining nonjudicial responsibility for abuses, creating a reparations fund, and promoting reconciliation through public hearings, and it operates under the Ministry of Humanitarian Affairs and Reconciliation. The TJRRC held public consultations in Bangui, Bouar, Bossangoa, Kaga-Bandoro, Bria, and Basse Kotto to educate the public concerning its processes and intent. The commission expected to carry out its first hearings in 2023.

## **Trial Procedures**

The constitution and law provide for the right to a fair and public trial, but this right was not always enforced. The law presumes defendants innocent until proven guilty, requires trials to be public, and states that indigent felony defendants facing sentences of 10 years or more have the right to consult a court-appointed attorney. Criminal trials use professional judges and juries selected from lists generated by magistrates in courts of appeal. Defendants have the right to present witnesses and evidence on their own behalf, question witnesses, and file appeals. They also have the right to be informed promptly and in detail of the charges against them (with free interpretation as needed) throughout all stages of the legal process, receive adequate time and facilities to prepare a defense, and not to be compelled to testify or confess guilt. All defendants who do not speak the country's main languages, French and Sango, are entitled to an interpreter. If this right is not respected, defendants have the right to appeal the decision of the court. Authorities did not always respect these rights due to systemic disfunction, including undertrained staff, budget shortfalls, and outdated technology in the court system.

There is no system for protecting victims and witnesses from intimidation and insecurity in the criminal and civil court systems. Witness protection was a major problem in criminal courts. Victims, who often lived side-by-side with perpetrators, were reluctant to testify against perpetrators because there was neither

assurance of their safety nor a credible judicial process.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

The constitution provides for an independent judiciary in civil matters, but citizens had limited access to courts in which to file lawsuits seeking damages for, or cessation of, human rights abuses. Civil courts, which are collocated with correctional courts, held regular sessions.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits home searches without a warrant during preliminary investigations, except for provisions in the law that permit searches with the defendant's consent. Once the case is under investigation by an investigating magistrate, the presence of the defendant or witnesses is sufficient. The government did not always follow this requirement.

In June the gendarmerie and police conducted a large-scale military contraband search-and-seizure operation in private homes and businesses in Bangui. While the operation itself conformed to local law, local media reported large-scale theft of personal property, including cash savings, from individuals with no association to armed groups. One business owner claimed police stole seven million CFA francs (\$11,400) from his store. On August 30, approximately 10 Russian-trained FACA soldiers broke into a mining site near the Cameroon border in a coordinated criminal attack. The soldiers abused seven Cameroonian mine workers before extorting 100,000 CFA francs (\$163) and stealing mobile phones.

### **g. Conflict-related Abuses**

There were numerous reports of serious human rights and international humanitarian law abuses countrywide by FACA, Wagner Group elements, and armed groups. Reports of abuses included unlawful killings, torture,

disappearances, rape, forced marriage, looting, destruction of property, unlawful recruitment and use of child soldiers by armed groups, and disruption of humanitarian access. According to UN agencies, there were increasing incidents of conflict-related sexual violence during the year.

Between January and July, a joint report by the UN Human Rights Office and MINUSCA recorded 451 cases of abuses of human rights and of international humanitarian law across the country, impacting 1,475 victims, including 893 civilians. FACA, internal security forces, and other security personnel, including Wagner Group elements, were responsible for 232 incidents (51.5 percent). Armed groups affiliated with the CPC were responsible for 48.5 percent of the incidents affecting a disproportionately higher number of victims. Wagner Group elements killed the most civilians overall. NGO and MINUSCA reports did not disaggregate collateral deaths during combat operations and noncombat incidents. Abuses included summary and extrajudicial executions, acts of torture and mistreatment, arbitrary arrests and detentions, conflict-related sexual violence including sexual slavery, and serious abuses of children's rights. The reports also included kidnappings, attacks on peacekeepers and civilians, and looting of humanitarian organizations' premises by several rebel groups.

**Killings:** Military offensives north and northeast of Bria escalated in January, resulting in new waves of violence and displacement. These government-led offensives concentrated on securing control of resource-rich areas in Haute Kotto, particularly artisanal diamond mining regions, and resulted in the death of dozens of civilians and combatants. NGOs operating in the region could not verify the exact number of fatalities due to insecurity. FACA, Wagner Group elements, and demobilized combatants incorporated into proxy force units from the UPC carried out the attacks.

UPC and Popular Front for the Rebirth of the Central African Republic (FPRC) forces reportedly targeted civilian populations in January, returning to communities following the withdrawal of security forces to carry out retaliatory attacks. In Yangou, Droundjam armed groups reportedly executed in January an unconfirmed number of men whom they suspected of spying for the government.

**Abductions:** The UN Human Rights Division verified 82 adult and 35 child

victims of abduction and deprivation of liberty. In the second quarter of the year, all but one case was attributed to the UPC and 3R armed groups.

**Physical Abuse, Punishment, and Torture:** There were numerous reports throughout the year that all parties to the conflict, including FACA, Wagner Group elements, and rebel armed groups mistreated, assaulted, and raped civilians with impunity.

The UN Human Rights Division counted 65 abuses and 81 victims of conflict-related sexual violence. Of these cases, the vast majority were rapes. State actors were responsible for eight violations affecting eight victims. Armed groups, chiefly 3R combatants, were responsible for most of the cases and victims. The UN Human Rights Division documented two cases of sexual slavery, affecting two victims, one committed by Wagner Group elements and the other by the FPRC. The UN Child Protection Unit verified the kidnapping of a girl aged 17 in early February by two Wanger Group members in Bria. The kidnapped girl was raped multiple times and forced to perform domestic work.

The United Nations and NGOs reported incidences of conflict-related sexual violence. As a reprisal for the government offensives in January, armed groups raped 12 women and girls – one as young as age 12 – in Nzako, south of Haute Kotto prefecture after security forces withdrew.

In Bangui, MINUSCA supported a safe house operated by a local NGO to provide temporary protection to survivors of sexual violence. It also worked with the UN Country Team, a combined unit of UN agency representatives, to establish a working group to assist survivors in the areas of health, justice, and psychosocial and socioeconomic support. In October 2021, President Touadera named Minister Counselor of Child Protection Josiane Lina Bemaka-Soui as the country's new focal point for sexual violence in conflict. Bemaka-Soui led efforts to pass the country's first laws specifically targeted to human trafficking, sexual violence, and child exploitation in conflict. In September President Touadera signed "Law No. 22.015 on the Fight Against Trafficking in Persons in the Central African Republic."

**Child Soldiers:** Armed militias associated with Anti-Balaka, ex-Seleka, the CPC,

the Lord's Resistance Army, and other armed groups forcibly recruited and used child soldiers. There were two verified cases of government-supported units recruiting and using soldiers during the year. In April the United Nations reported that Wagner Group elements recruited and trained children in Alindao, and FACA soldiers used children for petty labor at checkpoints in various locations around the country. Armed groups recruited children and used them as combatants, messengers, informants, and cooks. Girls were often forced to marry combatants or were exploited as sex slaves.

Despite signing the UN's Standard Operation Procedures proscribing the use of child soldiers, the Central African Patriotic Movement, FPRC, and UPC continued to use child soldiers. The FPRC and UPC issued orders barring the recruitment of children; however, NGOs reported the continued presence of children within these groups. From January to June, UN agencies reported 157 victims of child soldier recruitment by armed groups.

The law prohibits and criminalizes the recruitment and the use of children into armed groups and their exploitation for sexual purposes; perpetrators may be sentenced up to 10 years of imprisonment to hard labor. In addition, the law establishes that a child who has served in an armed force or group is a victim and should not be subject to criminal prosecution or that service, and mandates social reintegration mechanisms for victims.

During the year, the government, UNICEF, and various NGOs worked with armed groups to combat the exploitation of child soldiers. The focal point for children's affairs in the unit in charge of the national Demobilization, Reintegration, and Repatriation program confirmed 29 former child soldiers were detained in Ngaragba Prison, because the government was unable to find alternative centers to hold and rehabilitate them. These children were all released and reunited with their home communities by presidential decree in November.

In April the minister of defense issued a directive prohibiting children from being near military facilities. In August the government, at the recommendation of Minister Counselor of Child Protection Bemaka-Soui, implemented a series of training sessions designed to sensitize security forces to problems related to trafficking in persons and the use of children in armed conflict. Officers from the

armed forces, police, gendarmerie, fire brigades, and forest protection units received the training. Additionally, the government required Russian “instructors” stationed at a FACA base in Baragno to attend the training. The training covered the legal and ethical topics associated with human trafficking and utilizing children in armed conflicts and examined cases and best practices.

See the Department of State’s annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

**Other Conflict-related Abuse:** The UN Office for the Coordination of Humanitarian Affairs (OCHA) noted that humanitarian organizations’ ability to access remote areas worsened because of insecurity. Intimidation and extortion by armed actors remained the chief obstacle to delays in assistance delivery. Thefts, robberies, looting, threats of violence, and assaults accounted for 75 percent of incidents; the remainder involved interference with assistance operations. In April armed elements opened fire on humanitarian vehicles, injuring seven. In May following an ambush, armed group members detained nine humanitarian workers and stole their vehicles to transport looted humanitarian items, according to UN reports. The report did not mention to which group the perpetrators had affiliation. An acute fuel shortage from May to September affected humanitarian actors’ ability to deliver assistance by limiting air and ground travel and reducing MINUSCA peacekeepers’ ability to patrol and secure humanitarian corridors.

Between January and July, OCHA recorded 96 incidents affecting humanitarian workers, including one humanitarian killed and 18 injured. The 15 incidents recorded in July included two lootings, three attempted break-ins at humanitarian bases, and a roadside ambush of a humanitarian team. Ouham, Bangui, and Ouaka were the most affected prefectures.

UN observers reported the Wagner Group recruited former armed group members to join FACA from disbanded Anti-Balaka militias and UPC with stipends for service. This brought former rebels under the command of Wagner-directed FACA elements without the formal screening and selectivity of the Disarmament, Demobilization, Reintegration, and Rehabilitation program. The lack of selectivity and the limited training provided under Wagner Group’s competing program, according to MINUSCA’s military analysis team, led to an increase in misconduct



by government-affiliated units acting as proxy forces.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

Although the constitution and law provide for freedom of expression and the press, the government did not always respect these rights. The law allows criminal prosecutions for defamation of public officials.

**Freedom of Expression:** Public discussion and political debates were generally free from state authorities' influence. Public political debates, known as *patara*, were broadcast on private radio stations in Bangui and in most provincial capitals. In areas controlled by armed groups, freedom of expression, however, was inhibited due to the risk of retaliation.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** NGOs reported several cases of content restriction and self-censorship under duress. Minister of Arts Jennifer Saraiva banned the distribution and sale of the documentary film *Nous, étudiants!* (We, the students!) by filmmaker Fariala Rafiki for portraying “compromising images that do not reflect the realities of the country.” The minister also accused Bangui’s branch of the Alliance Francaise, which awarded an educational grant for the young filmmaker, of being a foreign agitator. The film exposed University of Bangui student living conditions and corruption by administrators.

Journalists self-censored due to the fear that progovernment militias, specifically “The Sharks” and the “Galaxie Nationale” groups, threatened them with violence.

**Libel/Slander Laws:** In September gendarmes arrested the editor of the *le Charpentier* newspaper, Christian Azoundao, for allegedly failing to respond to a summons for defamation following critical reporting regarding National Assembly First Vice President Evariste Ngamana and the mayor of Begoua, Jean Gazanguenzahe. Azoundao remained in pretrial detention at year’s end.

**National Security:** A local radio station known as Ndeke-Luka broadcast a report

by a FACA soldier who described corruption in the army ranks, embezzlement of enlisted salaries, and inadequate rations. Minister of Communication Serge Djorie suspended its operations for two days. The minister forbade all journalists from reporting news on security forces as a matter of national security.

**Nongovernmental Impact:** In areas controlled by armed groups, freedom of expression was inhibited due to the risk of retaliation.

### **Internet Freedom**

There were no cases during the year when the government restricted online media content. There were no credible reports that the government monitored or restricted private online communications.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, but the government did not always respect these rights.

### **Freedom of Peaceful Assembly**

In April the Ministry of Public Security banned all public demonstrations of a political nature. On May 21, the minister prohibited the Platform of Young Leaders of the Democratic Opposition from organizing a demonstration in the center of Bangui. On July 1, the prodemocracy opposition group Organizational Coordination of Civil Society for Peace in Central Africa scheduled a demonstration, but government security forces deployed to prevent demonstrators from coalescing. On July 6, the minister of public security released a statement reiterating the ban on political demonstrations but permitted a progovernment group to hold a rally just two days later with police security. The government subsequently made exceptions to the ban on an ad hoc basis, permitting one opposition protest and providing security for the event in September.

### **Freedom of Association**

A law prohibiting unregistered organizations from organizing for purposes of political advocacy remained in place. All political organizations in the country

must register with the Ministry of Administration.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government did not always respect these rights.

**In-country Movement:** Armed groups, criminals, and Wagner Group elements made in-country movement extremely dangerous. Those actors, including government forces, frequently used illegal checkpoints to extort funds. Additionally, due to the significant number of police, gendarmerie, customs, FACA, and armed group checkpoints, it was difficult to move freely between Bangui and provincial cities. There were reports that members of the predominantly Muslim Peuhl ethnic group were singled out for particularly abusive treatment and heightened scrutiny at many checkpoints and international crossings due to false impressions that members of the Peuhl community were supporting armed groups.

### **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** Internal conflicts made it difficult for the country to routinely provide security and protection for persons within its borders. The laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees, but access to education, health services, and employment were provided only by the international donor community. Individuals who had fled their countries of origin and had prior

criminal records, however, were immediately repatriated.

**Durable Solutions:** In May the government implemented a voluntary effort to repatriate 6,000 Central African refugees who fled to the Democratic Republic of the Congo as part of a tripartite agreement in 2019. UNHCR estimated that 4,144 Central African refugees were repatriated during the year.

## **f. Status and Treatment of Internally Displaced Persons**

As of December, UNHCR noted there were 518,116 internally displaced persons (IDPs) due to armed conflict and natural disasters. Humanitarian actors aided IDPs and returnees and promoted the safe voluntary return, resettlement, or local integration of displaced populations. The government worked with the United Nations and the broader humanitarian community on the safe, voluntary return of the country's IDPs and refugees through a durable solution working group. There were no reports of forced returns. There were, however, multiple reports of instances in which government forces and Wagner Group elements obstructed humanitarian organizations from providing services to civilians, including the displaced.

Women and girls were often at risk of sexual violence in and outside IDP sites by perpetrators living in IDP camps and the surrounding communities. Some men and boys were also victims of sexual violence at IDP sites. UN agencies cited a lack of safe, private facilities at IDP sites as the main cause. In many affected areas, poor access and insecurity limited humanitarian assistance.

Humanitarian organizations remained concerned that armed group members continued to hide in IDP sites, carrying out recruitment activities and putting IDPs and humanitarian staff at risk. Violence continued to impede the delivery of humanitarian assistance, which exceeded existing capacities. OCHA estimated that 3.1 million of the country's approximately five million inhabitants required humanitarian assistance and protection. Security concerns related to criminality, as well as armed group, FACA, and Wagner Group elements' activity, and explosive devices prevented aid organizations from operating in some areas, particularly in the northwest. An acute fuel shortage from May to September negatively impacted the delivery of humanitarian aid.

## **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Refugees who returned to the country after voter registration was closed and the estimated 200,000 potential voters still outside the country were denied the right to participate in the December 2020 presidential and legislative elections. There was no existing mechanism to enfranchise these voters for future elections.

### **Elections and Political Participation**

**Recent Elections:** In many areas of the country, before and during late December 2020 presidential and legislative elections, armed groups interfered with voter registration and the distribution of election materials. On election day, threats and violence by armed groups prevented citizens from voting in 26 of 68 voting districts and interrupted voting in six others. It was unclear precisely how many registered voters were prevented from voting because of armed group interference with electoral processes. Most of the violence committed around the elections was committed by CPC-affiliated armed groups. There were no reports of government security actors attempting to interfere with the election or prevent individuals from voting. The government did not attempt to restrict eligible voters from registering, but armed groups interfered with registration. In April President Touadera appointed 12 members, including five women, to a consultative framework on the elections and electoral mapping. On May 20, the consultative framework held its first meeting and included representatives of the political opposition, civil society, and the international community.

International and NGO observers reported high voter turnout in Bangui. Some media reported that threats of violence suppressed turnout in many other areas. NGO observers reported some irregularities in polling places that were able to open, particularly a lack of indelible ink and legislative ballots at certain sites. They also reported that some voters who did not have voter identification cards were allowed to vote with a certificate from the National Elections Authority. Some candidates and opposition leaders, including Anicet Georges Dologuele, Martin Ziguele, and Mahamat Kamoun, alleged there were cases of election fraud.

A local elections NGO, the National Observatory of Elections, concluded that observed irregularities did not undermine the overall credibility of the elections. The African Union observation mission reported that voting in Bangui conformed to the country's electoral code and international standards. Election results were announced in early January 2021.

**Participation of Women and Members of Minority Groups:** No laws limit participation of women or members of minority groups in the political process, and they did participate. UN Women, however, assessed traditional attitudes and cultural practices limited women's ability to participate in political life on an equal basis with men. Societal and legal discrimination against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons prevented them from effectively advocating for their interests in the political sphere (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics). The law prohibits gender discrimination and provides for an independent National Observatory for Male/Female Equality to monitor compliance. The National Observatory had not been established.

## **Section 4. Corruption and Lack of Transparency in Government**

Although the law provides criminal penalties for corruption by officials, the government did not effectively implement the law, and officials often engaged in corrupt practices with impunity. Corruption and nepotism have long been pervasive in all branches of government. Weak government capacity further limited attempts to address fully the problem of public-sector corruption. There were numerous reports of government corruption during the year.

**Corruption:** Corruption and bribery remained widespread. Under pressure from the International Monetary Fund to reduce public spending, in July President Touadera tasked the Ministry of Public Service to audit the civil service workforce to uncover fraud and embezzlement of public payrolls. The investigation discovered approximately 3,000 phantom employees and accumulated enough evidence to indict several high-ranking officials, including the director of payroll

in the Ministry of Finance and Budget and the technical director of the National Information Office and his deputy.

Laws and procedures for awarding natural resource extraction contracts and ensuring that information on those processes remained transparent were not followed. In 2021 the Constitutional Court requested that the government disclose mining concessions terms, but as of September, the government had not responded. In October 2021, the Extractive Industries Transparency Initiative agreed to partially lift Central African Republic's 2013 suspension after the country implemented transparency processes in a handful of diamond mining areas compliant with the Kimberley Process. The government's oversight body, the High Authority for Good Governance, is not authorized to investigate mining concessions without prior authorization from the president and the prime minister.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights abuses and violations of law. Government officials were typically cooperative and responsive.

**Retribution against Human Rights Defenders:** International and local NGOs faced multiple incidents of interference by security forces, including arrests of NGO staff and arbitrary demands for documentation. The International NGO Safety Organization (INSO) recorded 28 incidents against NGO and humanitarian assistance workers from January to June by government forces, Wagner Group elements, and government proxies. The incidents mainly included theft, but also attacks, threats, confinement, and detention. One attack by government forces left an NGO worker dead after they were mistaken for an armed group member. Wagner Group elements arrested two clearly identifiable UN peacekeepers in December, detaining them despite an attempted intervention by local authorities to secure their release. Wagner Group elements also forced NGO and UN convoys to return to their bases on several occasions throughout the year, according to INSO

and MINUSCA reports, falsely claiming that NGO movement was not authorized. INSO reported this may have been to protect Wagner Group's commercial interests at a nearby mining sites. In other instances, Wagner Group elements granted access to conflict zones unaffiliated with mining concessions. In June government security forces openly threatened an NGO worker in Bangui over allegations of spreading disinformation on FACA abuses. In December, despite notifications to local security force commanders, FACA repeatedly fired at unarmed UN-operated unmanned aerial vehicles used to observe protection of civilian operations, during landing approaches.

**Government Human Rights Bodies:** The country's independent National Commission on Human Rights and Fundamental Liberties has the authority to investigate complaints, including the power to call witnesses and subpoena documents.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalizes all forms of physical and sexual violence, as well as sexual exploitation. The law prohibits rape of all persons regardless of gender, although it does not specifically prohibit spousal rape. Rape is punishable by imprisonment with hard labor, but the law does not specify a minimum sentence. The government did not enforce the law effectively.

Domestic abuse, rape, and sexual slavery of women and girls by several armed groups continued to threaten security, as did the use of sexual violence as a deliberate tactic of conflict. Due to a lack of officers and political will, perpetrators enjoyed broad impunity.

Although the law does not specifically mention spousal abuse, it prohibits violence against women and provides for penalties of up to 10 years in prison. Domestic violence against women was common, including physical and verbal abuse and spousal rape. There were no reports of prosecutions during the year for domestic violence, although many courts did not operate for much of the year due to instability throughout the country. According to UNICEF's 2006 *Multiple*



*Indicator Cluster Survey (MICS)*, nearly 45 percent of women suffered physical violence from their husbands or relatives; 52 percent suffered verbal abuse, and 32 percent were raped.

Women and girls were particularly affected by high rates of conflict-related sexual violence. Decades of unrest and harmful traditions and cultural practices in the country exacerbated gender-based violence, in particular rape, forced marriage, and domestic violence. Survivors of sexual violence were discriminated against, and the government was unable to provide adequate care, including health and social services, to survivors. Sexual violence committed by armed actors increased the risk of spreading HIV and other sexually transmitted infections.

According to the UN secretary-general's reporting, insecurity and inaccessibility created obstacles to investigating reported incidents, causing delays in reporting. Nonetheless, humanitarian organizations recorded 11,732 incidents of gender-based violence across the country as of June, 870 of which took place in IDP sites. FACA forces were allegedly responsible for four incidents and four victims. Wagner Group elements were indicated in one incident involving four victims.

Increased instances of sexual violence corresponded to rising armed group activity and clashes between rebel groups and FACA. During attacks perpetrated by the armed groups FPRC and UPC in Haute-Kotto and Mbomou Prefectures, MINUSCA documented 227 cases affecting 246 victims (146 women and 100 girls) from December 2021 to April.

Early in the year, national authorities opened an investigation into allegations of widespread conflict-related sexual violence in Bakouma, Mbomou Prefecture, during the occupation by the CPC and FPRC from December 2020 to April 2021. As of December, the government had not concluded its investigation.

Local NGOs such as the National Association for the Support of Free Women and Girls Victims of Sexual Violence in Situations of Distress, the Flamboyants, and the Nengo (Dignity) Project assisted victims of sexual violence.

**Female Genital Mutilation/Cutting (FGM/C):** The law prohibits FGM/C of women and girls and establishes penalties of two to five years' imprisonment and a

monetary fine. When FGM/C results in the death of the victim, courts can sentence perpetrators to life in prison with hard labor and a substantial monetary fine. More than 20 percent of girls and women were subjected to FGM/C, with variations according to ethnicity and region, according to the 2019 MICS study and verified as up to date by UN agencies. In the central-north region, more than 60 percent of women and girls were subjected to FGM/C. The government mobilized authorities, the Mixed Unit for Rapid Intervention and Repression of Sexual Violence to Women and Children (UMIRR), and the judiciary with support from the UN Population Fund to conduct investigations and prosecutions.

**Sexual Harassment:** The law prohibits sexual harassment, but the government did not effectively enforce the law, and sexual harassment was common. The law prescribes no specific penalties for the crime.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. The most recent available data on reproductive health was based on 2019 surveys. According to the 2018-2019 MICS, 82 percent of women did not use contraception. The law authorizes abortion for pregnancies resulting from rape.

The maternal mortality rate was 829 per 100,000 live births, according to the World Health Organization. The major factor contributing to the high maternal death rate was the lack of access to adequate health care. According to 2019 data from the Ministry of Health, there were 873 health-care establishments in the country, of which approximately 52 were hospitals. Of these, 50 percent were small, often rural doctor's offices, and 44 percent were clinics. Most health-care establishments received medicine, supplies, and other support from humanitarian organizations.

Only 19 percent of women reported receiving prenatal care for their last pregnancy (MICS 2018-2019). The birth rate was high at 6.4 per woman (MICS 2018-2019), and 43 percent of women reported having a child before age 18 (MICS 2018-2019). Lacking sexual and reproductive education coupled with low contraceptive use contributed to early pregnancy among girls, which was more prevalent in rural than in urban areas. Only 53 percent of births in 2006 were attended by qualified health personnel (83 percent in urban areas, 35 percent in rural areas). Data from

the 2018-2019 MICS survey indicated that the infant mortality rate was 100 per 1,000 live births and 53 percent of deliveries were assisted.

The government worked closely with the International Organization for Migration and MINUSCA to train and deploy the UMIRR. The UMIRR opened a new office in Bouar in September to reach victims of sexual violence in the country's northwestern region. Emergency contraception was not widely available to women as a part of the country's clinical management of rape. (See the Female Genital Mutilation/Cutting (FGM/C) subsection for additional information.)

Menstrual health and hygiene problems severely impacted girls' ability to attend school. Socioeconomic barriers, rather than explicit policies, often prevented pregnant girls from attending school.

**Discrimination:** The formal law does not discriminate against women in inheritance and property rights, but the government did not enforce the formal law effectively, and discriminatory customary laws often prevailed. Women's statutory inheritance rights often were not respected, particularly in rural areas. Women experienced economic and social discrimination. Customary law does not consider single, divorced, or widowed women, including those with children, to be heads of households. Widows in rural areas often fell victim to accusations of witchcraft as a means to appropriate their inherited property (see section 6, Other Societal Violence or Discrimination). By law, men and women are entitled to family subsidies from the government, but several women's groups complained of lack of access to these payments for women.

## **Systemic Racial or Ethnic Violence and Discrimination**

Nomadic Peuhl pastoralists, predominately Muslim, were often the victims of violence. Their cattle wealth made them frequent targets, and they continued to suffer disproportionately from civil disorder in the northern and northwestern parts of the country. Peuhl (or Fulani) persons were often perceived as foreign because of their transnational migratory patterns and Muslim names. In several cases, NGO observers reported that CPC-affiliated armed groups forced Peuhl herders to enter protection rackets, defending the herds against settled Christian communities and other armed groups, while staining them with an unwanted affiliation with a

rebel group.

Ethnic killings occurred in relation to drought caused by climate change. Peuhl pastoralists armed themselves against reprisal attacks from farmers objecting to the presence of their grazing cattle. Security forces often extorted and illegally taxed Peuhl herders at border crossings checkpoints where veterinary services were located. Although groups in conflict often had differing confessional backgrounds, intercommunal violence was most often driven by resources shortages, land use disputes, and poverty.

Peuhl community leaders reported that FACA and Wagner Group elements indiscriminately targeted Peuhl civilians during military operations against the 3R rebels in the western part of the country. There were no reports of authorities acting against Wanger Group members accused of discrimination-linked killings. In May local media reported that a former armed group member, who had incorporated into FACA, killed a Peuhl herder during a robbery. Authorities investigated the incident, transferred the soldier to Bangui, and put him in pretrial detention.

Local news and NGO leaders reported that Muslim residents in Bangui faced discrimination when applying for national residency cards. Government agents in Bangui's PK5, the capitals' largest Muslim-majority district, placed onerous documentation procedures and fees on individuals with Muslim names compared to those citizens with Christian sounding names. Citizens require national identification cards to receive government services and to register legal businesses.

The government had no programs to address factors behind racial or ethnic biases. The Interfaith Religious Platform of the Central African Republic, locally known as the PCRC, was an interfaith organization made up of a council of faith leaders from the Roman Catholic, Protestant, and Muslim clergy that collaborated on social cohesion programs, often in partnership with the international community. The government recognized the group for its peace- and cohesion-promoting activity.

## Indigenous Peoples

Traditionally, forest dwelling Ba'Aka, Bofi, and Aka, including children, were often coerced into agricultural, domestic, and other types of labor. They were used as slaves by members of other local ethnic groups and were often heavily indebted to them. Even when they were remunerated for labor, their wages were far less than those prescribed by the labor code and lower than wages paid to members of other groups, sometimes by as much as 50 percent. According to the World Food Program, the Ba'Aka people depended on wildlands for subsistence, but their traditional customs and way of life had become increasingly threatened by illegal logging, poaching, and extractive industry activity carried out with the tacit approval of regional authorities.

Some NGOs and academic researchers described the Ba'Aka as “second-class citizens.” Traditionally, ethnically distinct settled farmers viewed forest dwelling foragers as their slaves, which evolved into deeply embedded culture of discrimination. According to NGOs, there was a generally held belief among settled farmers that these children should not receive any education. In many rural regions, Ba'aka, Bofi, and Aka families lived in camps on the outskirts of settlements and were not permitted to live inside villages by residents.

The vast majority of Ba'Aka did not have birth certificates and consequently could not register to be political candidates or to vote. They often also faced barriers to registering for school, and in some cases Ba'Aka, Aka, and Bofi children were prevented from attending school due to unaffordable fees and a lack of appropriate attire as many forest-dwelling peoples could afford only threadbare clothes for their children. Ba'Aka, and Ba'Aka women, frequently were exploited and coerced into servitude or working long hours for “in-kind” salaries of fabric or other household goods. Access to health care, particularly prenatal health care, was poor, and many Ba'Aka women gave birth in the forest instead of in clinics and other medical facilities.

In January, with support from the Human Rights Division of MINUSCA, the NGO Action and Development of Peuhl, Aka Pygmies, and Ba'Aka conducted a sensitization campaign on prevention of violence against indigenous Ba'Aka and Aka and Peuhl peoples. The campaign educated the public on the history of

violence against indigenous and nomadic persons and its impact on the community and development.

## **Children**

**Birth Registration:** Children derive citizenship by birth in the national territory or from one or both parents. Birth registration was less likely to occur in regions with little government presence. In rural communities, especially in the southeast of the country, almost no births were registered. A government study found that in Bangui one-third of children lacked birth certificates. Birth registration in IDP camps was often facilitated by NGOs and UNHCR, but the regularity of such registrations was highly dependent on the presence of these organizations. Parents did not always register births immediately for many reasons including a registration deadline of one month, registration costs, or distances to government facilities. Many citizens' birth certificates and civil status documents were lost during the conflict in 2013. Unregistered children were at times unable to access education and other social services.

**Education:** Education is compulsory from ages six to 15 (see also section 6, Women, Reproductive Rights). Tuition is free, but students pay for books, supplies, and transportation. Few indigenous Ba'Aka children attended primary school, often due to registration barriers, and in some cases, discriminatory beliefs and practices. There was no significant government assistance for efforts to increase Ba'Aka enrollment.

**Child Abuse:** The law criminalizes parental abuse of children younger than 15. UMIRR is the government's entity charged with investigating abuses against women and children.

**Child, Early, and Forced Marriage:** The law establishes 18 as the minimum age for civil marriage. A 2018 UNICEF report indicated that 68 percent of girls in the country married before age 18 and more than one-quarter before age 15. Early marriage was more common in Muslim communities. There were reports of forced marriages of young girls to ex-Seleka and Anti-Balaka members during the year. The government did not take steps to address forced marriage.

**Sexual Exploitation of Children:** The law provides a lifetime sentence and significant monetary fines for trafficking in persons involving minors. The law prohibits the creation, sale, or distribution of child pornography. The age of consent for sexual activity is 18. Armed groups and Wagner Group elements committed sexual violence against children and exploited girls as sex slaves (see section 1.g.). From January to December, MINUSCA documented 94 cases of conflict-related sexual violence against children. The government enforced the law, with the assistance of the Special Criminal Court, by prosecuting cases of child rape.

**Displaced Children:** Conflict-related forced displacement disproportionately affected children. UNICEF estimated 305,000 children were internally displaced within the country; and approximately 70,000 of them were not able to return home. The situation of displaced children remained extremely worrying, because many were separated from their families and were at greater risk of child abuse, such as being abducted, threatened, or recruited into or otherwise forced to join armed groups. In November the president signed a decree releasing 33 former child soldiers from prison and returned them to their home regions with assistance from the International Organization for Migration and UNICEF.

## **Antisemitism**

There was no significant Jewish community in the country, and there were no reports of antisemitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** The law criminalizes consensual same-sex sexual conduct in public. The penalty for conviction of “public expression of love” between persons

of the same sex is imprisonment for six months to two years and a substantial monetary fine; there is no equivalent law prohibiting consensual heterosexual sexual conduct in public. The law does not strictly criminalize consensual sexual conduct in private. Same-sex marriage is constitutionally banned; the constitution defines marriage as “the union between one man and one woman.” Members of the LGBTQI+ community may not openly serve in the military, and same-sex sexual conduct in the military is illegal. During the year, there were no reports of police arresting or detaining citizens under these provisions; however, in September, media reported that two openly gay Cameroonian men were detained and faced deportation and refoulement after seeking asylum in Bangui. The International Organization for Migration worked with the government to avoid refoulement and relocated the asylees to Sweden.

**Violence against LGBTQI+ Persons:** While there were no direct reports of violence against LGBTQI+ persons during the year, it was not clear whether this represented an absence of violence against LGBTQI+ persons, the difficulty of identifying causes of violence in a war situation, or LGBTQI+ persons’ unwillingness to openly identify as such, due to societal stigma.

**Discrimination:** There are no legal provisions protecting persons based on sexual orientation, gender identity or expression, or sex characteristics. There were no reports of legal discrimination against citizens by authorities, nor attacks by nonstate actors, due to cultural stigma against LGBTQI+ identity compelling few LGBTQI+ persons to openly acknowledge their sexual orientation or gender identity or expression. Societal norms, in conjunction with the criminalization of consensual same-sex activity in public, forced the LGBTQI+ community to exist underground and created a social environment wherein maintaining a same-sex relationship was extraordinarily dangerous.

**Availability of Legal Gender Recognition:** Legal gender recognition was not permitted.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** No laws prohibited involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ persons. According to religious leaders, conversion could be preached in sermons, but



cultural stigma against LGBTQI+ persons meant few were open regarding their sexual orientation to their family or community members and thus subjected to coercive practices.

### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

Societal discrimination against LGBTQI+ persons was entrenched. Two organizations that had promoted the rights of LGBTQI+ persons, CORDAID and Central African Alternative, both disbanded during the year, reportedly due to a lack of funding and qualified staff.

### **Persons with Disabilities**

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The government did not enact programs to provide access to buildings, information, and communications. There are no legislated or mandated accessibility provisions for persons with disabilities. The government did not provide government information and communication in accessible formats.

The law prohibits discrimination against persons with both mental and physical disabilities but does not specify other forms of disabilities. It requires that in any company employing 25 or more persons, at least 5 percent of staff consist of sufficiently qualified persons with disabilities presuming that they were represented in the applicant pool. The law states that at least 10 percent of newly recruited civil service personnel should be persons with disabilities. Statistics covering implementation of these provisions were unavailable.

According to an August World Food Program report, there was a lack of data on persons with disabilities, their needs, and the barriers they faced. This lack of data impacted the ability of humanitarian responders to plan, deliver, and evaluate inclusive activities. Data from 2020 collected by Humanity & Inclusion showed that 87 percent of persons with disabilities reported difficulties accessing nonfood item distributions, food, and cash. The Ministry of Labor, Employment, and Social Protection's Labor Inspectorate was responsible for protecting children with disabilities.

## **Other Societal Violence or Discrimination**

Many, but not all, members of the ex-Seleka and its factions were Muslim and had roots in neighboring countries or in the country's remote north, a region predominantly inhabited by Muslim communities and that the government historically neglected. During the worst of the 2013 crisis, some Christian communities formed Anti-Balaka militias that targeted Muslim communities, although all participants, including armed groups with Muslim majority factions, carried out violent attacks. The Interfaith Religious Platform, which includes Muslim and Christian leaders, continued working with communities to defuse tensions and call for tolerance and restraint. Local leaders, including the bishop of Bossangoa and internationally based academics, warned against casting the conflict in religious terms, which they believed would risk further fueling its escalation along ethnic and religious lines.

The law prohibits the practice of witchcraft. Witchcraft charges disproportionately affected women. Individuals accused of sorcery or witchcraft experienced social exclusion and elder abuse. According to UN agencies, persons accused of witchcraft most often come from vulnerable populations such as orphaned girls and widows, who are targeted for their inheritances. Children and minors accused of witchcraft are frequently disowned by their families and often become homeless. According to a legal advocate, the law does not have an established definition of witchcraft, and the state did not typically intervene in these cases. District chiefs often presided over witchcraft trials, but the accused were often ostracized, abused, humiliated, or killed by vigilantes. Authorities often place women accused of witchcraft in confinement cells to protect them from mob violence while they await trial. These women often languish in holding cells for weeks and in some cases months before a magistrate can hear their case. In 2021 the minister of justice reported that the government worked with international partners to train judges on the management of witchcraft procedures, acknowledging that such procedures were marred by the lack of legal definitions for witchcraft and the subjective nature of perceived infractions, which resulted in some procedural improvements.

In July a gang detained a Nigerian Hausa woman traveling near Ndele, in the

north, acting on rumors of witchcraft in adjacent communities in which men claimed to have been afflicted by a body-altering curse. The vigilantes handed the woman to the gendarmerie, who detained her for three weeks for protection while awaiting trial. Despite national coverage and media misinformation, a local judge released her for lack of evidence.

Persons with HIV and AIDS were subjected to discrimination and stigma, and as a result, many individuals with HIV and AIDS did not disclose their status. Many persons with HIV and AIDS had difficulty accessing appropriate treatment. According to a 2020 survey, HIV prevalence was 2.9 percent among adults. A 2020 assessment by the Joint United Nations Program on HIV/AIDS of the gender dimensions of HIV prevalence in the country stated 56 percent of new HIV infections in the country were among women, and 60 percent of all persons with HIV in the country were women. The prevalence of HIV among persons ages 15 to 49 years was 4.9 percent, according to the 2010 MICS report; personnel at the Institute Pasteur reported the infection rate in Bangui was approximately 18 percent. MINUSCA sources assessed that the vulnerability of women and girls to HIV was the result of protracted insecurity, humanitarian crises, and retrograde social norms. The same study identified disproportionately high HIV and AIDS prevalence rates amongst other socially stigmatized populations such as sex workers (15 percent) and men who have sex with men (6.5 percent).

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers, except for senior-level state employees, security force members, and foreign workers in residence for less than two years, to form or join independent unions without prior authorization. The law provides for the right of workers to organize and administer trade unions without employer interference and grants trade unions full legal status. The law requires union officials be full-time, wage-earning employees in their occupation and allows them to conduct union business during working hours if the employer is informed 48 hours in advance and provides authorization. The labor code provides that unions may bargain collectively in the public and private sectors. The government, the

country's largest employer, set wages after consultation, but not negotiation, with government employee trade unions.

Workers have the right to strike in both the public and private sectors, but the law prohibits security forces, including the armed forces and gendarmes, from striking. Strikes are limited to work-related matters. Requirements for conducting a legal strike are lengthy and cumbersome. For a strike to be legal, the union must first present its demands, the employer must respond to these demands, labor and management must attend a conciliation meeting, and an arbitration council must find that the union and the employer failed to reach agreement on valid demands. The union must provide eight days' advance written notification of a planned strike. The law states that if employers initiate a lockout that is not in accordance with the labor code, the employer is required to pay workers for all days of the lockout. The Ministry of Labor has the authority to establish a list of enterprises that are required by law to maintain a "compulsory minimum service" in the event of a strike. The government has the power of requisition or the authority to end strikes by invoking the public interest. The code makes no other provisions regarding sanctions on employers for acting against strikers.

The law expressly forbids antiunion discrimination. Employees may have their cases heard in labor court. The law does not state whether employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities, although the law requires employers found guilty of such discrimination to pay damages, including back pay and lost wages.

The government generally enforced applicable laws and respected laws concerning freedom of association in the formal sector. Penalties were commensurate with other violations of civil rights, but enforcement was inconsistent. Workers exercised some of these rights, but only a relatively small part of the workforce, primarily civil servants, exercised the right to join a union. While worker organizations were officially outside government or political parties, the government exerted some influence over the leadership of some organizations.

Labor unions did not report any underlying patterns of discrimination or abuse. The labor court did not hear any cases involving antiunion discrimination during the year. During the year, the Ministry of Labor and Social Protection updated

labor laws to officially recognize a greater number of labor associations, mainly from the public sector, who had negotiating privileges with the central government.

Collective bargaining occurred in the private sector during the year, although the total number of collective agreements concluded was unknown. The government was not generally involved if the two parties were able to reach an agreement. Information was unavailable on the effectiveness of collective bargaining in the private sector.

## **b. Prohibition of Forced or Compulsory Labor**

The labor code specifically prohibits and criminalizes all forms of forced or compulsory labor. The penalties for these crimes were commensurate with the penalties for similar crimes. The labor code's prohibition of forced or compulsory labor also applies to children, although the code does not mention them specifically. The penalties for violations were not sufficient to deter violations because the government did not enforce the prohibition effectively. There were reports forced labor occurred, especially in armed conflict zones. Armed groups utilized forced labor and child labor in conflict and in the exploitation of gold and diamond mines. In some cases, these children were exposed to harmful chemicals.

Employers subjected men, women, and children to forced domestic labor, agricultural work, mining, market or street vending, and restaurant labor, as well as sexual exploitation. Criminal courts sentenced convicted persons to imprisonment and forced labor, and prisoners often worked on public projects without compensation. This practice largely took place in rural areas. Ba'Aka, including children, often were coerced into labor as day laborers, farm hands, or other unskilled labor and often working for in-kind goods or family debt repayment at wage rates below the international poverty line (see section 6, Children).

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <http://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods/>.

#### **d. Discrimination with Respect to Employment and Occupation**

It is illegal to discriminate in hiring or employment based on race, national or social origin, gender, opinions, or beliefs. The government did not effectively enforce the law, and discrimination occurred with respect to gender, minority status, and national origin. Penalties were commensurate with the penalties for other civil rights violations. Penalties were never applied against violators. The law does not explicitly prohibit discrimination in employment and occupation based on disability, age, language, sexual orientation, gender identity, social status, HIV-positive status, or having other communicable diseases.

Discrimination against women in employment and occupation occurred in all sectors of the economy and in rural areas, where traditional practices that favored men remained widespread. There were legal restrictions against women in employment, including limiting or prohibiting the employment of women in some tasks, jobs, and industries. Furthermore, carrying, dragging, or pushing any load is prohibited during pregnancy and within three weeks of returning to work after giving birth. Women were not allowed on the premises of businesses where employees work with certain dangerous chemicals, and women were restricted in the work they may do in other trades, including working on the manufacture of sulfuric acid, application of rubber coatings, and pickling or galvanizing of iron.

Migrant workers experienced discrimination in employment and pay.

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The labor code states the Ministry of Labor sets minimum wages in the public sector by decree. The minimum wages in the private sector were established based on sector-specific collective conventions resulting from negotiations between employers and workers' representatives in each sector.

The minimum wage in the private sector varied by sector and type of work. The

minimum wage in all sectors was less than the World Bank standard for extreme poverty.

The law sets a standard workweek of 40 hours for government employees and most private-sector employees. Household employees may work up to 52 hours per week. The law also requires a minimum rest period of 48 hours per week for citizen, foreign, and migrant workers. Overtime policy varied according to the workplace. There is no legal prohibition on excessive or compulsory overtime. The labor code, however, states that employers must provide for the health and security of employees who are engaged in overtime work.

**Occupational Safety and Health:** There are general laws on safety and health (OSH) standards in the workplace, but the Ministry of Labor did not precisely define them. The labor code states that a labor inspector may compel an employer to correct unsafe or unhealthy work conditions.

The law provides that workers may remove themselves from dangerous working conditions without jeopardy to their employment. In such instances, the labor inspector notifies the employer and requires that conditions be addressed within four working days. The high unemployment and poverty rates deterred workers from exercising this right.

Diamond mines, which employed an estimated 400,000 persons, were subject to standards imposed by the mining code and inspection by the Miners' Brigade. Nevertheless, monitoring efforts were underfunded and insufficient. Despite the law requiring those working in mines to be at least 18, observers frequently saw underage diggers. Diggers often worked in open pits susceptible to collapse, working seven days a week during the dry season. Diggers were employed by larger mine operators, worked in dangerous conditions at the bottom of open pits, and lacked safety equipment.

The use of toxic chemicals in gold mines increased during the year, endangering environmental and personal health. Observers and NGOs documented the widespread use of cyanide and mercury for gold extraction. The government did not regulate the use of harmful chemicals in semimechanized or artisanal mining operations, but NGOs reported that the legal definition of "semimechanized" was

stretched to include mining operations involving large foreign investors from the People's Republic of China, whose sites were sometimes guarded by government security forces. Wagner Group elements increased their control of diamond and gold mining sites. Observers reported that Wagner Group elements blocked access for inspectors at all the mining sites under their control.

Officially, miners have the right to share in the proceeds of diamond sales. Miners often supplemented these earnings with either black market diamond sales or wages from other sectors of the economy. NGOs reported that the clandestine export of gems and gold undermined equitable profit sharing.

The government did not release information on workplace injury and deaths or other OSH statistics, and officials failed to respond to direct requests for information from the International Labor Organization in previous years.

**Wage, Hour, and OSH Enforcement:** The government did not effectively enforce labor standards, and violations were common in all sectors of the economy. The Ministry of Labor has primary responsibility for managing labor standards, while enforcement falls under the Ministry of Interior and Public Safety and the Ministry of Justice and Human Rights. The government did not have an adequate number of labor inspectors to enforce compliance with labor laws. Penalties were commensurate with those for similar violations but were seldom applied and insufficient to enforce compliance. The law applies to foreign and migrant workers as well, although foreign workers must meet residency requirements to join a union. Employers commonly violated safety and health standards in agriculture and mining. Violations of overtime policy may be referred to the Ministry of Labor, although it was unknown whether this occurred during the year.

**Informal Sector:** A 2021 World Bank Group report stated economic reforms had not produced sustained growth due to political instability, weak governance, and mismanagement of natural resource wealth. Most economic activity in the country, especially for young persons, was informal, conducted by micro, small-, and medium-sized enterprises representing 40 to 60 percent of GDP. The minimum wage applied only to the formal sector, leaving most of the labor force of the country in the informal sector without a minimum wage. Most labor was



performed outside the wage and social security system, especially by farmers in the large subsistence agricultural sector and laborers in the artisanal mining sector. Independent workers were excluded from labor code protections. While most labor protection laws applied to informal sector employees and those working part-time, laws were not enforced, and violations of wage, hour, and safety regulations were common. No official entities provided social protections for workers in the informal sector.